



# SHANKS & HERBERT

Intellectual Property Advocates

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July 26, 2002

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Re: U.S. Utility Patent Application  
Application No.: 09/816,124; Filed: March 26, 2001  
For: Method for Detecting and Isolating Genes  
Inventor(s): NAGASAWA, et al.  
Our Ref: 4001-0001C

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JUL 31 2002  
TECHNOLOGY CENTER 1700

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AUG 06 2002

TECH CENTER 1600/2900

Sir:

The following documents are forwarded herewith for appropriate action by the  
U.S. Patent and Trademark Office:

1. Transmittal Letter to the USPTO;
2. Response to the Restriction Requirement;
3. 1 return postcard

It is respectfully requested that the attached postcard be stamped with the date of  
filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS & HERBERT

Toni-Junell Herbert  
Reg. No. 34,348

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Nagasawa et al

Serial No.: 09/816,124

Filed: March 26, 2001

For: Method for Detecting and Isolating Genes



Art Unit: 1636

Examiner: Mckelvey, T.

Atty. Docket: 4001-0001C

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RESPONSE TO RESTRICTION REQUIREMENT

AUG 06 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

In response to the Office Action dated July 1, 2002, requesting an election of claims in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the claims of **Group III (Claims 12-13 and 20)**, without traverse.

This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications to the non-elected groups. Accordingly, reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT

Toni-Jurell Herbert  
Reg. No. 34,348

Date: 7/29/02  
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